



HISTORICAL, THEORETICAL AND LEGAL CONCEPTS AND SPECIFIC CHARACTERISTICS OF CRIMES RELATED TO CORRUPTION

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Article history:	Abstract:
Received: 14 th June 2024 Accepted: 6 th July 2024	The article describes the history of the concept of corruption, its impact on our society today, criminal consequences, the work being done to identify and expose them, and the experiences of foreign countries. At the same time, positive changes in the fight against corruption in the Republic of Uzbekistan were highlighted.

Keywords: Corruption, anti-corruption, bribery, bribery, land sales, investigative activities, legal consequences.

At a time when the process of building a legal democratic state, forming a civil society and ensuring the rule of law is deepening in our country, corruption cases by officials, including bribery, appropriation of other people's property, robbery and other organized crimes, are fundamental reforms in the economic, political and spiritual life of our republic. is seriously undermining its successful implementation.

President of the Republic of Uzbekistan Shavkat Mirziyoev said, "Corruption undermines democratic institutions and values, socio-political justice, the rule of law, and poses a serious threat to consistent sustainable development, economic growth, stability and security of society and states."¹- has been noted. In order to fight against such a risk, the Law of the Republic of Uzbekistan "On Combating Corruption" was adopted in 2017, and in Article 3 of this law, the concept of corruption is defined as follows: illegal use for profit, as well as illegal presentation of such property"²a legal explanation was given.

In order to increase the efficiency of the state policy aimed at fighting corruption, on June 29, 2020, the Decree of the President of the Republic of Uzbekistan "On additional measures to improve the system of fighting corruption in the Republic of Uzbekistan"³was adopted and based on this decree, the Anti-Corruption Agency (hereinafter - the Agency) was

established. The agency was entrusted with the task of formulating and implementing the state policy in the field of prevention and fight against corruption. Article 81 of the Law "On Combating Corruption" established the powers of the Anti-Corruption Agency of the Republic of Uzbekistan in the field of combating corruption.

Also, in order to increase the effectiveness of the work carried out in the field of preventing and combating corruption, to further expand the scope of open information on important social issues, to ensure their unhindered use, as well as to implement the tasks defined in the "Uzbekistan - 2030" strategy, on November 27, 2023, the Republic of Uzbekistan Decree of the President "On measures to further improve the system of combating corruption and increase the effectiveness of the system of public control over the activities of state bodies and organizations"⁴on the basis of this decree, on the fight against corruption, which consists of 9 priority areas and 30 important measures State program for 2023-2024was approved and now the defined tasks are being implemented consistently.

"Corruption" is certainly not a new evil, it has existed since ancient times. In his writings, the honorable President also wrote that "Since the beginning of the state and society, humanity has evaluated bribery and corruption as one of the social

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¹See: Mirziyov Sh.M New Uzbekistan-Development strategy. - T.: "Uzbekistan", 2022. - p. 327-328.

²Law of the Republic of Uzbekistan dated January 3, 2017 ORQ-419 "On Combating Corruption". Collection of legal documents of the Republic of Uzbekistan, 2017, No. 1, Article 2.

³No. PQ-6013 of the President of the Republic of Uzbekistan dated June 29, 2020"On additional measures to improve the system of combating corruption in the Republic of Uzbekistan"giDecree. Collection of legal documents of the Republic of Uzbekistan, 2020, No. 26, Article 288.

⁴PF-200 dated November 27, 2023 of the President of the Republic of Uzbekistan ""Decree on measures to further improve the system of combating corruption and increase the effectiveness of the system of public control over the activities of state bodies and organizations".Legislation of the Republic of Uzbekistan, 2023, No. 48 (1120), Article 494.



evils that prevent the development and prosperity, the principles of justice, equality, healthy competition and honesty from prevailing in the society, and fought against it."⁵, it is emphasized that.

In fact, the historical roots of corruption go back to very ancient times, and it is believed to have originated from the practice of giving gifts to tribal chiefs in order to gain a certain position in the tribe. In those times, it was taken for granted. However, as a result of the cultural development of man, the complexity and centralization of the state apparatus showed that corruption is a great obstacle to the development of the state. The ancient Sumerian state is recognized as the first country that fought against corruption. It is known from the surviving sources that bribery was a serious concern of ancient states, especially law enforcement agencies. Because this situation seriously damages the reputation of the state.

The holy book of Islam, the Holy Qur'an, says, "Do not take other people's property unjustly, and do not bribe your governors with your own property to get what belongs to others." The Bible says, "Do not accept gifts, because a gift makes the blind see and changes the truth."⁶.

By the second half of the 18th century, society began to influence the quality of work of the state administration apparatus more and more. This is explained by the fact that it was recorded in a number of legal documents adopted at that time. For example, the US Constitution adopted in 1787 specified bribery as one of the two crimes that could lead to the impeachment of the US president.

The emergence of political parties and the growth of their position in the country's life led to a significant decrease in corruption in developed countries in the 19th-20th centuries compared to other countries of the world.

So what is corruption itself?

The term "corruption" comes from the Latin word "corruptio", which etymologically means "to break, to buy". These two words define the concept of corruption.

The United Nations anti-corruption report states: "Corruption is the abuse of public power for personal gain."

In the encyclopedic dictionary of legal terms, the concept of corruption is defined as "...an official's

performance or non-performance of certain actions in the field of his official authority for any form of payment in the interests of the payer, with or without violating the rules of the job description."

In the national encyclopedia of Uzbekistan, it is noted that "corruption is the practice of an official's direct abuse of the rights granted by his position for the purposes of personal enrichment."⁷.

Among theoretical scientists, politicians and practitioners, there are different opinions and opinions about the concept of corruption, and many try to express it in a broader sense. Some scholars call bribery itself corruption, while others define corruption as a criminal organization in its broadest form.

Corruption is not considered a direct legal category, its legal definition does not exist. Analyzing the processes taking place in the world, corruption can be defined as the union of an official in public service with organized criminals for personal gain, i.e. increasing material wealth or nepotism, local favoritism, or working in a criminal organization.

When interpreted theoretically, corruption is a dangerous phenomenon for society, which is expressed in the violation of the power of the officials assigned to perform the state function, which consists in gaining personal wealth or using it for malicious purposes in the interests of a group of individuals from their official position and the position they hold and the prestige associated with it.⁸.

As can be seen from the above points, people and society are the ones who directly suffer from corruption in any case.

Chapter 2 of the Law "On Combating Corruption" defines general rules aimed at regulating the activities of bodies and organizations that directly implement and participate in anti-corruption activities.

In the Republic of Uzbekistan, the state bodies that carry out anti-corruption activities can be classified into two main categories: The category of state bodies that directly carry out anti-corruption activities: the Anti-Corruption Agency of the Republic of Uzbekistan, the General Prosecutor's Office, the State Security Service, the Ministry of Internal Affairs, the Ministry of Justice and the General includes the Department for Combating Economic Crimes under the Prosecutor's Office.⁹

⁵See: Mirziyov Sh.M New Uzbekistan-Development strategy. - T.: "Uzbekistan", 2022. - 324 p.

⁶H.B. Davronov "Stages of historical development and legal bases of the fight against corruption" Bulletin of the Ministry of Internal Affairs of the Republic of Uzbekistan, 2021, No. 2 (49). p. 73

⁷See the same source, p. 74.

⁸A.T.Berdiev, M.M.Khaydarov, T.R.Kuchkarov Liability for corruption crimes. Tashkent-2018 MIA Academy. 201 p. Proceedings of the republican scientific-practical conference, MIA Academy 2016.

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Let's take the Ministry of Internal Affairs of the Republic of Uzbekistan, which is one of the state bodies that carry out anti-corruption activities. Article 11 of the Law of the Republic of Uzbekistan "On Combating Corruption" defines the powers of the Ministry of Internal Affairs of the Republic of Uzbekistan in the field of combating corruption. According to it, it is determined that the Ministry of Internal Affairs of the Republic of Uzbekistan, within the framework of its powers, "carries out operational search activities, inquiries and preliminary investigations on crimes related to corruption."

In recent years, systematic work has been carried out in the republic to ensure rational and purposeful use of land plots, their protection, development of new lands and re-circulation. However, there are cases of non-compliance with land laws, purposeless and inefficient use of land plots, including the construction of illegal structures, as well as cases of arbitrarily occupying land in this regard, in order to introduce a unified control system through the wide use of digital technologies and to further strengthen cooperation between competent authorities, 2022 Resolution of the President of the Republic of Uzbekistan "On measures to increase the efficiency of state control over the use of land" on February 21¹⁰ was adopted and based on this decision. In order to increase the efficiency of investigative activities in order to identify cases of violation of the Law on divisions were established and are currently operating.

The basis of our country is farming and rich land resources, and we can find cases of corruption in the land sector, in particular, cases of arbitrary sale of land owned by state cadastral and architectural officials, illegal sale of land leased to them by farmers.

For example, on March 13, 2024, citizen H.E., living in Norin district, Namangan region, gave 5 hectares of vacant land to citizen A.J for 12,000 US dollars to engage in horticultural activities through his acquaintances who work in a high position in the district administration. , saying that he will receive 8,000 US dollars of the agreed money and the remaining 4,000 US dollars after the formalization of the documents, from the applicant A.J. 100 million soums were seized with physical evidence while receiving the money. A criminal case was initiated against him under Article

168, Part 3, Article 28, 211, Part 2 of the Criminal Code of the Republic of Uzbekistan.

Also, on July 10, 2024, citizen B.X, who lives in Kosonsoi district, Namangan region, and is the head of a farm, is selling 0.60 hectares of land in the farm for 40 million soums, which was leased for 49 years for cotton and grain production, as well as In his testimony, citizen B.X was found to have sold the land area of the farm in October 2021 and in May 2022, and in relation to him, the JK of the Republic of Uzbekistan A criminal case has been initiated under Article 168, Part 3¹¹. There are many similar examples.

Internal affairs bodies in our republic should take into account the fact that corrupt criminal groups constantly change their actions and tactics in order to mask their crimes and hide the traces of crimes.¹².

In order to identify, expose and prevent crimes related to bribery, "survey", "data collection", "quick surveillance", "inquiry", "data collection", "quick surveillance" are among the 16 quick-search measures listed in Article 14 of the Law of the Republic of Uzbekistan dated December 25, 2012 "On Quick Search Activities". it is also important to carry out timely and effective inspection of residences and other places, buildings, structures, plots of land and vehicles", "quick experiment" and other rapid search activities.

In conclusion, it can be said that corruption is a complex social phenomenon, and quick search measures against it should be implemented in a comprehensive manner. In addition, in the fight against corruption, it is necessary to strengthen broad preventive measures aimed not at its consequences, but at eliminating the circumstances that create conditions for the occurrence of this crime and the actions of a corrupt person.

Agency - "Fighting Corruption". Textbook, Tashkent: "Akademiya", 2022. - 102 p.

¹⁰PQ-138 dated February 21, 2022 of the President of the Republic of Uzbekistan "On measures to increase the effectiveness of state control in the use of land plots" giThe decision. Legislation of the Republic of Uzbekistan, 2022, No. 8, Article 80.

¹¹Information of the Department of Combating Corruption and Economic Crimes of the Ministry of Internal Affairs and Communications of the Namangan region.

¹²A.A.Khamdamov, Compliance of the employees of the law enforcement agencies with the rules of ethics is the most important criterion for fighting corruption. Tashkent-2020 MIA Academy, p. 13.